



Committee On: Agriculture

Title: Change provisions relating to inspectors of and licensure under the Commercial Dog and Cat Operator Inspection Act

Indefinitely Postponed

Absent

Nebraska Veterinary Medical Association

LB 584 would enact various changes affecting licensure requirements under, and operations subject to, the Commercial Dog & Cat Operator Inspection Act, and also vest inspection personnel with law enforcement powers to enforce animal cruelty laws. The substantive

changes to current law are found in Sections 1 and 3 of the bill. The primary substantive elements to the bill include:

- Section 1 of the bill expands the definition of “law enforcement officer” in §28-1008(6) of sections setting out crimes against animals to include inspectors for the Commercial Dog and Cat Operator Inspection Act.
- Section 3 of the bill amends §54-627 of the Commercial Dog and Cat Operator Inspection Act with various changes pertaining to operations subject to licensure, requirements of licensure, and fees as follows:
 - Prohibit veterinary clinics from offering pet boarding services apart from boarding that is incidental to veterinary care provided unless licensed as a boarding kennel beginning January 1, 2006. A harmonizing amendment is made to §54-626 by section 2 of the bill to remove an express omission of veterinary clinics from the definition of a “boarding kennel.”
 - Prescribe that all initial applications for licensure under the Act include a written plan of veterinary care and that each license renewal application include evidence of veterinary visits at least every 3 months in the previous year.
 - Expands the purposes of inspection of licensed facilities to include inspection of practices that affect humane treatment of “pet animals”, not solely dogs and cats.
 - Revises the schedule of license fees imposed by §54-627. Existing text imposing a single, set initial and annual license fee not to exceed \$200. LB 584 increases the statutory maximum fee to \$250 and directs that a fee schedule be developed by the Director of Agriculture that varies based upon the number of animals, and which is discounted for new licensees.

Explanation of amendments, if any:

The Committee amendments strike the original provisions and become the bill. The amendment differs from the introduced bill primarily by omitting the statutorily prescribed standard for veterinary visitation and veterinary plans as a condition of licensure, and retaining the exemption of veterinary clinics under current law from being defined as boarding kennels subject to licensure.

Original section 1 of the introduced bill including inspectors of the Dog & Cat Operator Inspection Program within the definition of law enforcement officers for purposes of enforcement of violations of crimes against animals is retained as section 1 of the amendment. Also retained is the authority of the Department to inspect conditions pertaining to humane treatment of all pet animals present upon licensed premises. Provisions of the introduced version of LB 584 directing the Department of Agriculture to establish a graduated fee schedule based on size with discounted fees for initial licensure are also retained.

The amendment also inserts what becomes section 2 of the amendment, amending §28-1018 of the law pertaining to crimes against animals. §28-1018 currently declares it a criminal violation for persons other than an animal control facilities or animal shelters to sell

puppies or kittens under six weeks of age. The revisions increase the minimum age to eight weeks old.

Senator Bob Kremer, Chairperson